Case 1:21-cv-01217-MKV DGetring Hurs Vizae Filed 09/28/21 Page 2 of 10

Michael R. Reese **REESE LLP**

100 West 93rd Street, 16th Floor New York, New York 10025 Telephone: (212) 643-0500 Website: www.reesellp.com Email: *mreese@reesellp.com*

PROFESSIONAL ACTIVITIES:

REESE LLP (2008-present)

Founder and Managing Partner

Founder and managing partner of boutique litigation law firm specializing in class actions and food law related cases in litigation throughout the United States. Representative cases include:

- *Mantikas v. Kellogg Co.*, 910 F.3d 633 (2d Cir. 2018)(case involving alleged misrepresentation of amount of whole grain in food product; adoption by Second Circuit of reasonable consumer standard)
- *Sgouros v. Transunion Corp.*, 817 F.3d 1029 (7th Cir. 2016)(case alleging violation of the Fair Credit Reporting Act ("FCRA"); rejection by Seventh Circuit that case was subject to arbitration)
- Praxis Project v. The Coca-Cola Co. et al., case no. 2017 CA 004801 B (D.C. Superior Court) (case alleging manipulation of science attempting to delink and discredit connection between sugar with diabetes and other diseases and health issues)
- In re Santa Fe Natural Tobacco Company Marketing & Sales Practices and Products Liability Litig., 288 F.Supp.3d 1087 (D. New Mexico Dec. 21, 2017) (case alleging violation of consumer protection statutes for deceptive labeling of "natural" cigarettes)
- Huyer v. Wells Fargo Co., 295 F.R.D. 332 (S.D. Iowa 2013)(certification of RICO class on behalf of mortgagors, resulting in \$25 million settlement)
- *Shalikar v. Asahi Beer U.S.A., Inc.*,, case no. 17-cv-02713 JAK, 2017 WL 9362139 (C.D. Cal. Oct. 16, 2017) (case alleging violation of consumer protective statute for deceptive and misleading labeling regarding origin of product)
- *Coe et al. v. General Mills, Inc.*, case no. 15-cv-05112-TEH, 2016 WL 4208287 (N.D. Cal. Aug. 10, 2016) (case alleging violation for deceptive and misleading packaging regarding levels of protein and sugar in popular breakfast cereal)
- Rapoport-Hecht v. Seventh Generation, Inc., case no. 14-cv-09087-KMK, 2016 WL 11397676 (S.D.N.Y. July 10, 2016)(case alleging misleading labeling of personal care products as natural)
- *In re Frito-Lay North America, Inc. All Natural Litigation*, 2013 WL 4647512 (E.D.N.Y. Aug. 29, 2013) (case alleging violation for deceptive and misleading packaging of food products containing genetically modified organisms)

BROOKLYN1LAW, SCHOOLM (2014) present ht 80-2 Filed 09/28/21 Page 3 of 10

Adjunct Professor of Law

- The Law of Class Actions and other Aggregate Litigation
- Food Law

<u>COLUMBIA LAW SCHOOL</u> (2016 to present)

Guest Lecturer

Food Law and Policy, February 19, 2018

Food Law and Policy, April 17, 2017

Food Law and Policy, April 18, 2016

WELLNESS IN THE SCHOOLS (WITS) – (2016 to present)

Advisory Board Member

RESNICK CENTER, UNIVERSITY OF CALIFORNIA SCHOOL OF LAW – (2018 to present)

Advisory Board Member

UNION INTERNATIONALE DES AVOCATS (UIA) (2016-present)

North American Counsel to Food Law Commission (2018 to present)

Food Law Commission Member (2016 to present)

- Guest Speaker: Verona, Italy (2016); Toronto, Canada (2017); Porto, Portugal (2018); Guadalajara, Mexico (virtual)(2020)

<u>INTERNATIONAL CLE – FOOD LAW</u> (2016-present)

Conference Co-Host

Co-host of annual two day food law conference that brings together all stakeholders in food law and regulation; including, academia; in-house counsel; NGOs; and members of the plaintiffs and defense bars.

- "5th Annual Food Law Conference Navigating the Intersection Between Regulation & Litigation" San Francisco, California (March 2-3, 2020)
- "Food Law Industry, Academia, Consumer, NGO & Government Perspectives"
 UCLA School of Law, Los Angeles, California (June 6-7, 2019)
- "Innovative Foods and Other Hot Topics" Denver, Colorado (April 19-20, 2018)
- "Food Law A Comprehensive Review of the Evolving Legal Landscape" Austin, Texas (May 11-12, 2017)

CAMBRIDGE FOOD FRAUD FORUM (2019-present)

- Head Chairperson

Chairperson of annual three day food law conference for plaintiff class action attorneys who focus their practice on food fraud.

CLASS ACTION ROUNDTABLE and CLASS ACTION FORUM (2014-present)

Executive Committee Member

Executive Committee Member and annual presenter at exclusive forum limited to the top class action practitioners.

PERRIN FOOD AND BEVERAGE LAW ANNUAL CONFERENCE (2014 – present)

Annual Presenter

Moderator and Lecturer at annual food law conference.

SPEAKING ENGAGEMENTS:

2021

- September 28, 2021; Food and Drug Law Institute Food Advertising, Labeling and Litigation Conference; *Consumer Surveys and Economic Analysis in Support of Litigation*; with Sarah Butler (NERA Economic Consulting); Christopher van Gundy (Sheppard, Mullin, Richter & Hampton LLP); and Anthony Anscombe (Steptoe & Johnson LLP); live webinar
- May 25, 2021; American Bar Association 10th Annual Food, Beverage and Supplements CLE Program; *Class Action Round-Up*; with Angela Spivey (Alston & Bird LLP); Carey Bartell (Conagra); and Ben Wilner (Alvarez and Marsal); live webinar
- May 10, 2021; *Hot Topics in Food Litigation (an Update)*; with David T. Biderman (Perkins & Coie LLP); Lawlines
- February 23, 2021, *Food Litigation: Consumer Protection, Regulation and Class Class Actions*, Guest Lecturer of Professor David Biderman, University of California, Los Angeles School of Law (virtual)
- February 22, 2021, *Food Law and Policy*, Guest Lecturer of Professors Melissa Weiner and Steve Toeniskeotter, Mitchell Hamline School of Law, Minneapolis, Minnesota (virtual)

- October 30, 2020, Covid-19 and Food Product Distribution: Problems and Solutions, Co-Moderator with Stefano Dindo; panelists Sarah Brew (Faegre Drinker Biddle & Reath LLP); Diego Saluzzo (Grande Stevens Studio Legale); Alicia White (Whole Foods Market); Simona Musso (LavAzza); Carlos Ramirez (Reese LLP); Union Internationale des Advocats Congress, Guadalajara, Mexico (virtual)
- October 15, 2020, Food Labeling Issues, Mass Torts Made Perfect, Las Vegas, Nevada (virtual)
- September 23, 2020, A Consumer Protection Attorney's Perspective on the Reasonable Consumer Standard and Preemption Or: How I Learned to Stop Worrying about Preemption and Love 21 U.S.C. §343(a)(a tribute to Stanley Kubrick), FDLI, Washington, D.C. (virtual)

Case 1:21-cv-01217-MKV Document 80-2 Filed 09/28/21 Page 5 of 10

- June 2, 2020, Using Electronically Stored Information to Your Advantage to Win Or: How I Learned to Stop Worrying about Technology and to Love ESI (a tribute to Stanley Kubrick) NACA Webinar
- March 3, 2020, Pulling It All Together An Interactive Discussion of Public and Private Regulation, co-panelist with Chris van Gundy and Rita Mansuryan (both from Sheppard, Mullin, Richter & Hampton LLP), 5th Annual Food Law Conference Navigating the Intersection Between Regulation & Litigation, San Francisco, California
- March 3, 2020 The Reasonable Consumer An Interactive Debate, moderator of panel David Biderman; Ben Heikali; Angela Spivey; and, Gillian Wade, 5th Annual Food Law Conference Navigating the Intersection Between Regulation & Litigation, San Francisco, California
- March 2, 2020, *Litigation Case Studies Environmental Marketing Claims*, copresenter with Dale Giali, 5th Annual Food Law Conference Navigating the Intersection Between Regulation & Litigation, San Francisco, California
- February 25, 2020, *Food Law From the Plaintiffs' Perspective*, Co-Panelist with Jack Fitzgerald and Ani Gulati, Consumer Brands Association Legal Forum (Rancho Mirage, California)

- November 19-20, 2019, Food Law Litigation Conference, Chairperson, Cambridge Food Law Litigation Forum, West Palm Beach, Florida
- November 19, 2019, Food Law Litigation -The Amuse Bouche: Drafting Complaints; Surviving Motions to Dismiss and Defeating the Defenses Du Jour, Cambridge Food Law Litigation Forum, West Palm Beach, Florida
- September 18, 2019, *Food Law and Policy*, Guest Lecturer of Professor Michael Roberts, University of California, Los Angeles School of Law
- June 6-7, 2019 4th *Annual Food Law Conference Live From a Food Law Think Tank*, co-host, University of California, Los Angeles
- May 1, 2019, *Strategic Considerations for Bringing and Maintaining Class Actions*, Class Action Roundtable, Napa, California
- March 5, 2019, *A Plaintiff's Counsel Perspective on Class Action Food Litigation*, Grocery Manufacturers' Association, West Palm Beach, Florida
- March 4, 2019, *Mock Trial Benson v. Stone Ground Kitchens, Inc.*, against Jerry Blackwell regarding allegedly deceptive glucosamine food supplements, Grocery Manufacturers' Association, West Palm Beach, Florida
- January 11, 2019, *Epic Systems, Its Aftermath and Impact on Class Action Waivers*, Bridgeport Class Action Conference, Costa Mesa, California

Casanuary-c May 2201 Marke Law of Class Actions and Other 24 greaged Itigation, Brooklyn Law School (with co-professor Mitchell Breit), Brooklyn, New York

- November 2, 2018, *The Intersection of Biotech Foods and the Law*, UIA Joint Food Law and Biotech Commissions, 62nd UIA Congress, Porto, Portugal
- October 17, 2018, *What Does Natural Mean?*, Wisconsin Public Radio, The Morning Show with host John Munson, radio program
- October 16, 2018, *Recent Developments in Class Action Litigation*, Perrin Conference, Chicago, Illinois
- October 12, 2018, *Agricultural Verdicts of Interest: Monsanto and Smithfield*, Wagner Food Policy Alliance, New York University, Puck Building, New York, New York
- April 19-20, 2018, CLE International Food Law Conference, Co-Host of Conference;
 Panelist on Food Law Class Actions; Moderator of Panel (Charles Sipos and Melissa Weiner) Taking Another Look at Innovative Foods, Class Actions and Regulatory
 Gaps, Denver, Colorado
- April 17, 2018, *Misleading Food Labeling and Advertising under the Lanham Act and the FDCA*, American Bar Association, webinar
- April 13, 2018, *The Interplay Between Experts and Damages in Class Cases*, Class Action Roundtable, Rancho Palos Verde, California
- February 18, 2018, *Food Law and Policy*, Guest Lecturer of Professor Hannah Chamoine, Columbia Law School, New York, New York
- January-May, 2018 (Spring Semester) *Food Law*, Brooklyn Law School (with coprofessor Valerie Madamba), Brooklyn, New York

- December 8, 2017, *Food Law Updates*, American Bar Association Brown Bag Presentation, teleconference presentation
- November 8, 2017, *Class Actions Consumer Fraud and Product Labeling*, CLE International, Los Angeles, California
- October 28, 2017, The Rules to be Followed When Importing Food Products Country of Origin Litigation, Union Internationale des Advocts ("UIA") 61st Annual Congress, Toronto, Canada
- October 25, 2017, *Recent Developments in Food Law Class Action Litigation*, *Moderator*, Perrin Conference, Chicago, Illinois
- September-December, 2017 (Fall Semester) The Law of Class Actions and Other Aggregate Litigation, Brooklyn Law School (with co-professor Mitchell Breit),
 Brooklyn, New York
- May 16, 2017, *Hot Topics in Food Litigation*, Lawlines (with Maia Kats of CSPI), live-filmed production, New York, New York
- May 11-12, 2017, International CLE Food Law Conference, Co-Host of Conference;
 Panelist on Food Law Class Actions, Part I, Merits; Moderator of Panel (Tim Blood;
 Karin Moore- GMA; Ani Gulati General Mills; Michael Jacobson CSPI) Where
 Should Food Law Be Made, Austin, Texas
- May 9, 2017 Dealing With Emerging Pleading Standards and Expert Qualifications at Class Certification, Plaintiffs' Class Action Forum, Carefree, Arizona
- April 20, 2017, The Future of Food Law (Panel with New York Assistant Attorney General Ellen Fried and Pace Law School Professor Margot Pollans), Cardozo Law School, New York, New York
- April 17, 2017 *Food Law and Policy*, Guest Lecturer of Professor Hannah Chamoine, Columbia Law School, New York, New York
- January 24 April 24, 2017 (Spring Semester) *Class Actions and Other Aggregate Litigation*, Brooklyn Law School, Brooklyn, New York

- October 18, 2016, *Recent Developments in Food Class Action Litigation*, Perrin Conference, New York Athletic Club, New York, New York
- September 15, 2016, *Food Advertising and Litigation Conference*, FDLI, Washington, D.C.

- July 13, 2016 Food and Beverage Class Actions: Litigating False Advertising, Labeling, Slack-Fill Packaging and Food Safety Claims – Navigating Issues of Ascertainability, Predominance; Preemption; Standing and More, Strafford Webinar (with David Biderman of Perkins Coie LLP)
- June 9, 2016 Union Internationale Advocats ("UIA"), *Food Class Actions in the United States*, Verona, Italy
- May 24, 2016 *Integrating Food Law into Your Practice*, National Association of Consumer Advocates, Webinar
- April 28, 2016 *Class Action Settlements*, Plaintiffs' Class Action Forum, West Palm Beach, Florida
- April 18, 2016 Food Law and Policy, Guest Professor of Professor Hannah Chamoine,
 Columbia Law School, New York, New York
- March 28, 2016 What is Food Law?, Brooklyn Law School, Brooklyn, New York
- March 17, 2016 Food Law Class Actions, International CLE, Washington, D.C.
- February 24, 2016 , *A Plaintiff Attorney's Perspective on Food Litigation*, Grocery Manufacturers Association Annual Legal Conference, Rancho Mirage, California
- January 25 April 26, 2016 (Spring Semester) *Class Actions and Other Aggregate Litigation*, Brooklyn Law School, Brooklyn, New York

- December 8, 2015 Panelist (with Maia Kats of CSPI and Professor Laura Murphy) on panel moderated by Nicole Foster, Health and Human Services, American Bar Association, Health Law Section, What is in Your Food? Food Labeling Regulation and Litigation, Washington, D.C.
- December 2, 2015 Co-Moderator with Laura Murphy, Vermont School of Law Professor, *Discussion Regarding the FDA' Recent Request for Comments on Use of the Term "Natural"*, American Bar Association, Health Law Section, Twitter Discussion
- November 10, 2015 *Recent Developments in Class Actions*, Perrin Annual Food Law Conference, Challenges Facing the Food & Beverage Industry in Complex Litigation, Washington, D.C.
- September 24, 2015 *Insights into the Food Courts, Key Cases and Trends*, Food and Drug Law Institute Food Advertising and Litigation, Chicago, Illinois
- June 16, 2015 What Should Food Lawyers Do?, Moderator, California Bar Litigation Section - Food Law Committee; (Charles Sipos; Professor Marsha Garrison; Melissa Wolchansky; Leslie Brueckner, Public Justice)(teleconference)

- Case 1:21-cv-01217-MKV Document 80-2 Filed 09/28/21 Page 9 of 10
- April 23, 2015 *Ascertainability*, Plaintiff's Class Action Forum, Rancho Palos Verde, California
- April 13, 2015 "Food Law Litigation A Practitioner's Perspective" Guest Speaker of Professor Marsha Garrison, Food Law, Brooklyn Law School, Brooklyn, New York
- February 24, 2015 *The Interplay of the FTC, Lanham Act and Class Actions*, Speaker with Richard Cleland of the Federal Trade Commission, Food and Drug Litigation Institute, Washington, D.C.

2014

- September-December 2014 (Fall Semester) *The Law of Class Actions and Other Aggregate Litigation*, Brooklyn Law School, Brooklyn, New York
- June 16, 2014, Hot Topics in Advertising Law, Practicing Law Institute, New York, New York
- April 11, 2014, *Food Fight: An Examination of Recent Trends in Food Litigation and Where We Go From Here*, University of California, Los Angeles, School of Law, Resnick Program for Food Law and Policy, Los Angeles, California
- April 8, 2014, *Challenges Facing the Food and Beverage Industries in Complex Commercial Litigation*, Perrin Conference, Chicago, Illinois
- April 3, 2014, *Non-Traditional Approaches to Class Certification* (b)(1), (b)(2) and (c)(4) Classes, Plaintiffs' Class Action Forum, San Diego, California

2013

- November 6, 2013, *Food Advertising*, *Strategies for Avoiding and Dealing with Litigation Issues*, Food and Drug Litigation Institute, New York, New York
- April 17, 2013, *The Level of Proof Required at the Class Certification Stage*, Plaintiff's Class Action Forum, Miami, Florida

- November 15, 2012, Food Advertising: Claims, Litigation and Strategies Plaintiff
 Counsel's Perspective Regarding Recent Trend of Food Litigation, Food and Drug Law
 Institute, New York, New York
- September 6, 2012, *False Advertising Consumer Class Actions: Latest Developments*, Stratford Publications Webinar New York, New York (webinar)
- January 24, 2012 Advertising, Labeling and Nutrition, Legal Developments Managing Liability in an Increasing Litigious Environment, Food and Drug Law Institute, Washington, D.C.

Case 1:21-cv-01217-MKV Document 80-2 Filed 09/28/21 Page 10 of 10 **2011**

 November 22, 2011 - False Advertising Consumer Class Actions: Best Practices for Bringing and Defending Misleading Advertisement Litigation, Strafford Publications, New York, New York (webinar)

PUBLICATIONS:

- Reese, Michael R.
 "How to Become a Food Lawyer A Smörgåsbord of Tips from a Seasoned Practitioner", Environmental Law, Vol. 49, No. 5, Illinois State Bar, May 2019
- Reese, Michael R.
 "Food Based Country of Origin Litigation in the United States",
 Juriste International, Union International des Advocats, July 19, 2018
- Reese, Michael R.
 "Starting a Niche Food Law Practice"
 General Practitioner, American Bar Association, December 2017
- Roberts, Michael T.; Turk, Whitney (Reese, Michael R. contributing section"
 "Improving Effective Use of Class Action Litigation")
 "The Pursuit of Food Authenticity, Recommended Legal and Policy Strategies to Eradicate Economically Motivated Adulteration (Food Fraud)"
 White Paper, University of California at Los Angeles (UCLA) Resnick Program for Food Law and Policy, April 2017
- Reese, Michael R.
 "Typical Claims and Defenses in Class Action Food Litigation"
 The Health Lawyer, American Bar Association, April 2016

ORGANIZATIONS AND AFFILIATIONS

Resnick Center, University of California School of Law - Advisory Board Member Wellness in the Schools ("WITS") – Advisory Board Member

Union International des Advocats – North American Counsel to Food Law Commission Brooklyn Law School – Adjunct Professor